IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5410 OF 2005

Kondiram Bhiku Shinde
since deceased through
Smt. Yasodha K. Shinde & Ors. .. Petitioners.

vs.

Jayram Govind Pharande
since deceased through
Manohar Jayram Pharande
& Ors. . .. Respondents.

Mr. M.M. Dhamal for petitioners.
Mr. V.Y. Jadhav for Respondent No. 1b, 2a & 2b.

CORAM : A.P. DESHPANDE, J.

DATE : 20th December, 2006.

P.C.

. By the present petition, the petitioner decree holder is challenging an order dated 29.9.2003 which rejects the decree holders claim to arch standing adjacent to the suit property. A review application was made by the petitioner decree holder and the same was also rejected.

2. Perused the order passed by the executing

court which is in conformity with the decree. There is no mention of removal of the arch and handing over of the possession to the decree holder. Hence, the executing court has to that extent denied the decree holder’s claim.

3. Perused the order. No interference is called for. In the result, the writ petition stands dismissed.

(A.P. Deshpande, J.)